

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

RAFAEL MORENO-MORALES

Petitioner

vs

CIVIL 04-1009CCC

THE COMMONWEALTH OF  
PUERTO RICO  
ANABELLE RODRIGUEZ, Secretary of Justice  
of Puerto Rico  
MIGUEL PEREIRA, Secretary of Corrections  
Administration of Puerto Rico  
VICTOR RIVERA-GONZALEZ, Ex-secretary of  
Corrections Administration of Puerto Rico  
RONALD GOLDELOS-CABALLERO, Chief  
Technician of Penal Records

Respondents

**ORDER**

Having considered the Motion to Request to Vacate Judgment Due to New Evidence and a Stay for 90 Days to File an Amended Complaint or New Case filed by plaintiff Rafael Moreno-Morales on December 2, 2005 (**docket entry 43**) and the opposition to said motion filed by defendants on December 8, 2005 (**docket entry 45**), the same is DENIED. The “new evidence” adduced by plaintiff Moreno-Morales--an alleged report prepared by officers of the Corrections Administration during 2001 which supposedly determined that plaintiff “had complied with [his] sentence[], or close to completion,” (Motion, docket entry 43, at p. 2)--will in no way alter the Court’s conclusion in its Opinion and Order that “when issuing to petitioner a revised R[elease] D[ate] C[alculation] C[ontrol] S[heet] on January 16, 2001 defendants acted in conformity with relevant and applicable Commonwealth statutes and regulations,” (Opinion and Order, docket entry 41, at p. 6), which, as the Opinion explained, was based on the Court’s review and interpretation of all pertinent Commonwealth laws and regulations.

SO ORDERED.

At San Juan, Puerto Rico, on January 17, 2006.

S/CARMEN CONSUELO CEREZO  
United States District Judge